

REFERENCE TITLE: fowl regulation; prohibition

State of Arizona  
Senate  
Fifty-first Legislature  
Second Regular Session  
2014

## **SB 1151**

Introduced by

Senator Farnsworth D; Representatives Boyer, Mitchell, Petersen, Townsend:  
Senators Begay, Burges, Crandell, Farley, Hobbs, Meza, Murphy, Reagan,  
Shooter, Ward, Yee; Representatives Borrelli, Livingston, Montenegro,  
Seel, Steele, Stevens

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY ADDING  
SECTION 9-462.09; RELATING TO MUNICIPAL ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 6.1, Arizona Revised Statutes,  
3 is amended by adding section 9-462.09, to read:

4 9-462.09. Backyard fowl regulation; prohibition; exceptions;  
5 state preemption

6 A. A MUNICIPALITY MAY NOT ADOPT A ZONING ORDINANCE THAT PROHIBITS A  
7 RESIDENT OF A SINGLE-FAMILY DETACHED RESIDENCE FROM KEEPING FOWL IN THE  
8 BACKYARD OF THE PROPERTY. A MUNICIPALITY MAY:

9 1. RESTRICT THE NUMBER OF FOWL THAT A RESIDENT OF A SINGLE-FAMILY  
10 DETACHED RESIDENCE MAY KEEP IN THE BACKYARD OF THE PROPERTY.

11 2. PROHIBIT OR RESTRICT A RESIDENT OF A SINGLE-FAMILY DETACHED  
12 RESIDENCE FROM KEEPING MALE FOWL, INCLUDING ROOSTERS, UNLESS THE MALE FOWL IS  
13 INCAPABLE OF MAKING NOISE.

14 B. THE PROPERTY RIGHTS OF PROPERTY OWNERS IN THIS STATE ARE OF  
15 STATEWIDE CONCERN. THIS SECTION PREEMPTS ALL LOCAL LAWS, ORDINANCES AND  
16 CHARTER PROVISIONS TO THE CONTRARY.